

465 87-61-A **PETITION FOR ZONING VARIANCE** TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.B.(1)(C.3) to permit a side yard setback of 2 feet in lieu of the required 7 feet

of the Zoning Regulations of Baltimore County to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

PLEASE SEE ATTACHED SHEET...

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: _____
(Type or Print Name)
Signature _____
Address _____
City and State _____
Attorney for Petitioner: _____
(Type or Print Name)
Signature _____
Address _____
City and State _____
Attorney's Telephone No.: _____
Address _____
Phone No. _____

Legal Owner(s):
MOSES BETTS, JR.
(Type or Print Name)
Signature _____
Address _____
City and State _____
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
MOSES & CONNIE D. BETTS JR.
Name
6842 WESTRIDGE RD. (301) 486-1480
Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 29th day of August, 1986, at 9:45 o'clock

Zoning Commissioner of Baltimore County.

(over)

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 3rd Date of Posting: August 1-5-86
Posted for: Variance
Petitioner: Moses Betts, Jr. et ux
Location of property: NW/4 of Westridge Road, 444' SW of the centerline of Alter St. (6842 Westridge Road)
Location of Sign: On front of 6842 Westridge Road
Remarks: _____
Posted by: [Signature] Date of return: August 5-86
Number of Signs: 1

IN RE: PETITION ZONING VARIANCES * BEFORE THE
NW/4 of Westridge Road, 444' * ZON: 1 COMMISSIONER
SW of the centerline of Alter * OF BALTIMORE COUNTY
Street (6842 Westridge Road) - *
3rd Election District *
Moses Betts, Jr., et ux, * Case No. 87-61-A
Petitioners *

AMENDED ORDER

Pursuant to the north boundary survey submitted to this Commissioner, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 29th day of October, 1986, that:

1. The carport shall be no closer than two feet to the north property line at any point.
2. No portion of the carport shall extend onto the adjacent property.
3. The Petitioners have 30 days from the date of this Order to comply with the above or remove entirely what has been constructed.

AI/srl

cc: Mr. & Mrs. Moses Betts, Jr.

Mr. & Mrs. Ellis McKnight

People's Counsel

ORDER RECEIVED FOR FILING
Date: August 29, 1986
By: [Signature]

IN RE: PETITION ZONING VARIANCE * BEFORE THE
NW/4 of Westridge Road, 444' * ZONING COMMISSIONER
SW of the centerline of Alter * OF BALTIMORE COUNTY
Street (6842 Westridge Road) - *
3rd Election District *
Moses Betts, Jr., et ux, * Case No. 87-61-A
Petitioners *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of two feet instead of the required seven feet, as more particularly described on Petitioners' Exhibit 1.

The Petitioners appeared and testified. Mr. and Mrs. Ellis McKnight, adjacent property owners, appeared in opposition.

Testimony indicated that the subject property is located on Westridge Road and is zoned D.R.5.5. The Petitioners propose a carport attached to the north side of their dwelling within two feet of the property line. Its primary purpose is for the protection and convenience of their 16-year-old handicapped son, who is non-ambulatory and non-verbal. A ramp for their son's wheelchair presently exists on the north side of the dwelling, which faces the Protestants' home. In fact, the dwellings face their respective side property lines. The Petitioners wish to provide a covered area so that their son may be outside and be protected from inclement weather without fear. It is, simply, a means to provide an addition to the support system necessary for the care of a severely handicapped person such as the Petitioner's son. It cannot be constructed elsewhere due to the entrances being on each side of the dwelling and the existence of the driveway on that side.

The Protestants object because they believe there is already sufficient protection afforded by an existing two-foot overhang at the entrance to the

ORDER RECEIVED FOR FILING
Date: August 29, 1986
By: [Signature]

DESCRIPTION FOR VARIANCE

6842 Westridge Road
3rd Election District

Beginning at a point on the northwest side of Westridge Road (50 feet wide) at a distance of 444 feet southwest of the centerline of Alter Street, and being Lot No. 126 as shown on the plat of "Campfield Gardens - Section Two" which is recorded in the Land Records of Baltimore County in Plat Book 18, Folio 42.

PETITION FOR ZONING VARIANCE

3rd Election District
Case No. 87-61-A

LOCATION: Northwest Side of Westridge Road, 444 feet Southwest of the Centerline of Alter Street (6842 Westridge Road)
DATE AND TIME: Monday, August 25, 1986, at 9:45 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Zoning Variance to permit a side yard setback of 2 feet in lieu of the required 7 feet

Being the property of Moses Betts, Jr., et ux, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

June 24, 1987

465 87-61-A **PETITION FOR ZONING VARIANCE** TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

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Contract Purchaser: _____
(Type or Print Name)
Signature _____
Address _____
City and State _____
Attorney for Petitioner: _____
(Type or Print Name)
Signature _____
Address _____
City and State _____
Attorney's Telephone No.: _____
Address _____
Phone No. _____

Legal Owner(s): _____
(Type or Print Name)
Signature _____
Address _____
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Name, address and phone number of legal owner, contract purchaser or representative to be contacted
MOSES & CONNIE D. BETTS JR.
Name
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AI/srl

cc: Mr. & Mrs. Moses Betts, Jr.

Mr. & Mrs. Ellis McKnight

People's Counsel

ORDER RECEIVED FOR FILING

Date: August 29, 1986
By: [Signature]

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By: [Signature]

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PETITION FOR ZONING VARIANCE

3rd Election District
Case No. 87-61-A

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DATE AND TIME: Monday, August 25, 1986, at 9:45 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

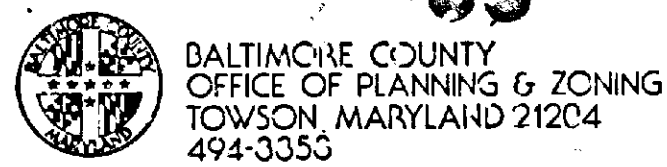
Petition for Zoning Variance to permit a side yard setback of 2 feet in lieu of the required 7 feet

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BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

June 24, 1987



ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

September 29, 1986

Mr. & Mrs. Moses Betts, Jr.
6842 Westridge Road
Baltimore, Maryland 21207

RE: Case No. 87-61-A
Moses Betts, Jr., et ux,
Petitioners

Dear Mr. & Mrs. Betts:

Pursuant to the land surveyor's report received this date, it appears that your neighbors' concern is justified. A portion of your carport is on their property and the remainder is within only three inches of your joint property line. Obviously, corrective action will be required. I need to know how and when such action will occur.

Additionally, the carport does not comply with the variance granted in my Order dated August 29, 1986. You will need to remove approximately two feet of the carport to be in compliance. This must be done immediately.

Sincerely,

Arnold Jablon
ARNOLD JABLON
Zoning Commissioner

AJ/sul

cc: Mr. & Mrs. Ellis McKnight
6844 Westridge Road
Baltimore, Maryland 21207

Aug. 13, 1986
The Campfield Association:

EXHIBIT

We, being homeowners in the Campfield Gardens area of Baltimore County, would like your support in a zoning problem. We live at 6844 Westridge Road and the zoning problem is concerning our neighbors at 6842 Westridge Road. They are in the process of building a carport/deck which is "on" the property line. We contacted zoning to find out the law regarding adding additions onto a home. We were told one could not build "within 7'" of the property line. If we did not approve of this structure being built we were to file a complaint. This we did. A date has been set for the hearing, which is Monday August 23, 1986 at 4:45 a.m. Our neighbors have a handicapped whom I believe they are using as their reason for building this structure. I sympathize with their plight, and if this was beneficial to them there may not have been a complaint filed. However, they have put in a driveway and constructed a ramp for the child. The carport is not necessary for the child. The Baltimore

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 29, 1986

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Mr. Moses Betts, Jr.
6842 Westridge Road
Baltimore, Maryland 21207

RE: Item No. 465 - Case No. 87-61-A
Petitioners: Moses Betts, Jr., et ux
Petition for Zoning Variance

Dear Mr. Betts:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

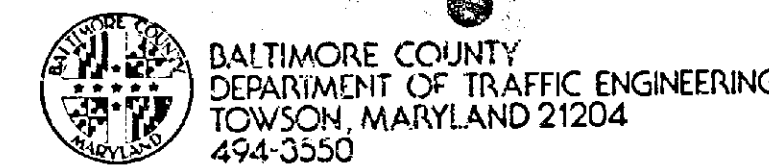
Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kbb

Enclosures



STEPHEN E. COLLINS
DIRECTOR

July 2, 1986

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for items number 456, 457, 458, 459, 460, 461, 464, 465, and 467.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF:lrc

CAMPFIELD COMMUNITY ASSOCIATION
6829 Westridge Road
Baltimore, Maryland 21207
653-9214 • 633-1519

August 20, 1986

Mr. and Mrs. Elex McKnight,

In reference to your letter regarding the zoning variance at 6842 Westridge Road, the Campfield Community Association cannot take sides with either party. However, in observing the situation we do find certain potential winter ice and snow hazards (possible ice and snow sliding into your yard), trespassing to continue building or make any future repairs, possible property value loss on your home if you decide to sell, and it will limit you to building onto your property because it leaves very little clearance between properties.

We also agree that the carport will not benefit a handicap person. Exceptions are made for handicap children and adults by the transportation departments statewide and countywide.

One of the association officers will be available to attend the hearing on Monday, August 25, 1986 at 9:45 a.m. and assist you on certain matters if necessary. Please remember that we can only observe and report our findings and that we cannot give you or your neighbor any other support.

If you have any questions regarding this matter or if you need our assistance in the future please feel free to call me at 653-1519 or 653-9214.

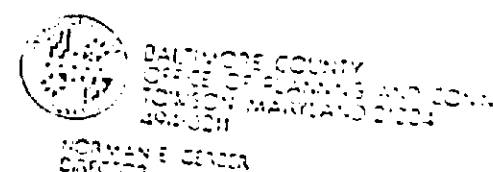
Sincerely,

Charlie E. Towne, Jr.
Charlie E. Towne, Jr.
President

PROTESTANT'S
EXHIBIT 2

County Special Education Division-
Transportation was contacted as to their procedure for the picking up and the discharging of their Special Education Children. Their policy is the same as that for a non-handicapped child in clear or fair weather. However, in inclement weather the child can wait indoors, over a porch in view of the bus driver. So, therefore, we feel using the carport as protection for the child in bad or inclement weather is not necessary.

Charles E. Towne, Jr.
Charles E. Towne, Jr.
President



Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

July 22, 1986

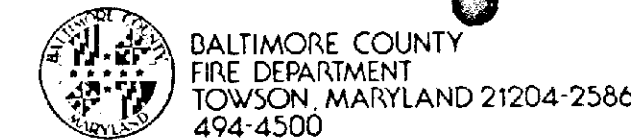
Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- Re: Zoning Advisory Meeting of June 24, 1986
Item No. 465 - Case No. 87-61-A
Petitioners: Moses Betts, Jr., et ux
Location: NW/S Westridge Rd., 444' SW E Alter St.
- ☒ There are no site planning factors requiring comment.
 - ☒ A County Review Group meeting is required.
 - ☒ A County Review Group meeting was held and the minutes will be submitted.
 - ☒ This site is not on a "T" or "Y" street; therefore it is defined as a subdivision. The plan must show the entire tract.
 - ☒ A record plat will be required and must be recorded prior to issuance of a building permit.
 - ☒ The access is not satisfactory.
 - ☒ The circulation on this site is not satisfactory.
 - ☒ The parking arrangement is not satisfactory.
 - ☒ The property contains soils which are defined as wetlands, and development on these soils is prohibited.
 - ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-53 of the Development Regulations.
 - ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
 - ☒ The amended Development Plan was approved by the Planning Board.
 - ☒ The property is located in a deficient service area as defined by the Baltimore County Land Use Manual, 1971 172-76. No building permit may be issued until a Reserve Capacity Use Certificate has been issued.
 - ☒ The property is located in a deficient service area as defined by the Baltimore County Land Use Manual, 1971 172-76, and its deficiencies cannot be remediated unilaterally by the County Council.

cc: James H. Havel

James A. Havel
Chairman, Current Planning and Development



PAUL H. REINCKE
CHIEF

June 25, 1986

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Re: Property Owner: Moses Betts, Jr., et ux

Location: NW/S Westridge Rd., 444' SW centerline Alter St.

Item No.: 465

Zoning Agenda: Meeting of 6/24/86

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

- ☒ 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ☒ 2. A second means of vehicle access is required for the site.
- ☒ 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- ☒ 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- ☒ 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- ☒ 6. Site plans are approved, as drawn.
- ☒ 7. The Fire Prevention Bureau has no comment at this time.

REVIEWER: *John F. O'Neill*
Noted and Approved: *John F. O'Neill*
Fire Prevention Bureau
Planning Group
Special Inspection Division

/mb

June 24, 1987

